

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

IN RE: PRE-FILLED PROPANE TANK
MARKETING AND SALES PRACTICES
LITIGATION

THIS PLEADING RELATES TO:

ALL CASES

MDL Docket No. 2086

Master Case No. 4:09-cv-00465

**JOINT STATUS REPORT AND MOTION FOR LEAVE TO SUBMIT AND SEEK
PRELIMINARY APPROVAL OF AMENDED SETTLEMENT AGREEMENT**

The Court preliminarily approved the settlement agreement between Plaintiffs and AmeriGas on March 11, 2010. *See* Doc. 89, Order Preliminarily Approving Settlement and Providing for Notice. Since that time, Plaintiffs and AmeriGas have negotiated an expansion of that original settlement agreement. The parties are in the process of finalizing an amended settlement agreement, the key terms of which will include expanding the class period so that more individuals and earlier purchases are covered by the settlement, increasing the total amount of settlement funds available to class members, and increasing the maximum claim amount per person. This amended settlement will not materially change or diminish the terms of the original agreement this Court has preliminarily approved, but will simply add a longer class period and further relief.

The parties are working diligently to finalize this agreement, and expect to complete this process within two weeks. Plaintiffs and AmeriGas therefore jointly request that the Court grant Plaintiffs leave to file an amended settlement agreement and a motion to preliminarily approve that agreement on or before Thursday, April 29, 2010. The parties also request that the Court stay further proceedings on its Order Preliminarily Approving Settlement and Providing for

Notice (Doc. 89) pending the Court's consideration of the amended settlement agreement. In other words, the original preliminarily approved settlement remains effective, but the parties seek to stay the notice, claims, and final approval process set forth in the Court's preliminary approval Order. This motion is not brought for any improper purpose and no party will be prejudiced by the Court's granting of this motion.

WHEREFORE, Plaintiffs and AmeriGas respectfully request that the Court enter an order granting Plaintiffs leave to submit an amended settlement agreement and motion for preliminary approval of that agreement on or before April 29, 2010. The parties also request that the Court stay further proceedings on the Order Preliminarily Approving Settlement and Providing for Notice (Doc. 89) pending the Court's consideration of the amended settlement agreement.

Dated April 15, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2010, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send a notice of electronic filing to all persons registered for ECF as of this date.

I further certify that I caused a copy of the foregoing document to be mailed on April 15, 2010 by first class mail, postage paid, to the following non-ECF participants:

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